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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: to be assigned	Confirmation No.	: not known
Applicant	: Blake Cumbers		
Filed	: Herewith		
Title	: PASSIVE BIOMETRIC CUSTOMER IDENTIFICATION AND TRACKING SYSTEM		
TC/A.U.	: 3713		
Examiner	: not known		
Docket No.	: 5590.00010		
Customer No.	: 29747		

Mail Stop PATENT APPLICATIONS  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO-1449 listing references that are known to applicant. Copies of the listed U.S. patent references are not enclosed in accordance with the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. A copy of the non-patent literature document is enclosed. No representations are made as to the completeness of this list, nor is the submission of the above references an admission that they are prior art or relevant to the subject application.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO-

**Application No. to be assigned**

1449 be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

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Respectfully submitted,

By: 

Rob L. Phillips  
Registration No. 40,305

January 13, 2004

Enclosures: PTO-1449  
Copy of Non-Patent Literature Document

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	
Filing Date	Herewith
First Named Inventor	Blake Cumbers
Art Unit	3713
Examiner Name	Not Known
Attorney Docket Number	5590.00010

Sheet 1 of 2

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,710,873	12/01/1987	Breslow et al.	
		US- 4,821,118	04/11/1989	Lafreniere	
		US- 5,012,522	04/30/1991	Lambert	
		US- 5,179,517	01/12/1993	Sarbin et al.	
		US- 5,258,837	11/02/1993	Gormley	
		US- 5,283,644	02/01/1994	Maeno	
		US- 5,386,103	01/31/1995	DeBan et al.	
		US- 5,432,864	07/11/1995	Lu et al.	
		US- 5,530,438	06/25/1996	Bickham et al.	
		US- 5,553,864	09/10/1996	Sitrick	
		US- 5,580,308	12/03/1996	Nakamura	
		US- 5,594,806	01/14/1997	Colbert	
		US- 5,595,389	01/21/1997	Parulski et al.	
		US- 5,613,912	03/25/1997	Slater	
		US- 5,901,238	05/04/1999	Matsushita	
		US- 5,941,774	08/24/1999	Takemoto et al.	
		US- 5,984,780	11/16/1999	Takemoto et al.	
		US- 6,142,876	11/07/2000	Cumbers	
		US- 6,234,900	05/22/2001	Cumbers	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> * Number <sup>4</sup> * Kind Code <sup>5</sup> (if known)				

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	
		Filing Date	Herewith
		First Named Inventor	Blake Cumbers
		Art Unit	3713
		Examiner Name	Not Known
Sheet 2	of 2	Attorney Docket Number	5590.00010

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		True Face Access System, 9 page brochure by MIROS INC, circa unknown	

Examiner Signature		Date Considered	
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